IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 15827 of 2004

Between:

Ameer Mohd Khan S/o Abudl Raheem Khan
R/o 19-2-118/25, Tadban, Hyderabad

..... PETITIONER

AND

1 The Asst. Secretary, Regional Transport Authority (South Zone)

Hyderabad
2 the Motor Vehicle Inspector, Medchal, RR District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction particularly one in the nature of Writ of Mandamus, declaring the seizure of the petitioner's vehicle bearing No. AP/11T-3383 seized under Vehicle check report NO. 1132036, dated 11-8-2004 by the 2nd respondent as illegal, arbitrary, unjust and consequently direct the respondents to release the vehicle of the petitioner forthwith.

Counsel for the Petitioner:MR.B.SIVA RAMA KRISHNAIAH

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court made the following O R D E R:

(Per the Hon'ble Sri Justice Bilal Nazki).

Heard learned counsel for the parties. With their consent, the writ petition is being disposed of at this stage.

On allegations, including the allegation that the petitioner has not paid the tax, the vehicle has been seized. We direct that the vehicle be released to the petitioner on payment of the tax due and compounding fee. On release of vehicle, the petitioner shall undertake that he will not create third party interest in the vehicle. The allegations, regarding the petitioner, shall be enquired into by the authorities concerned.

The writ petition is accordingly disposed of. No order as to costs.

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(BILAL NAZKI, J)

7th September, 2004

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(S.ANANDA REDDY,J)

Note:Issue operative portion by wire at party's cost

b/o

vrn

To

1 The Asst. Secretary, Regional Transport Authority (South Zone)

Hyderabad
2 The Motor Vehicle Inspector, Medchal, RR District

3 Two C.Cs to the Government Pleader for Transport,

High Court Buildings, A.P., Hyderabd (OUT)

4 Two C.D copies